

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

THE CITY OF FERGUSON,)

Defendant.)

Case No. 4:16 CV 180 CDP

ORDER MODIFYING CONSENT DECREE

After careful review,

IT IS HEREBY ORDERED that the joint motion to modify Paragraphs 80, 81(a), 115, and 341 of the Consent Decree [86] is granted, and Paragraphs 80, 81(a), 115, and 341 only of the Consent Decree entered on April 19, 2016 [41] are modified as follows:

1) Paragraph 80 now reads as follows: “FPD officers will not conduct pretextual stops except where the actual reason for the stop is to investigate suspected unlawful conduct that poses a risk to public safety.”

2) Paragraph 81(a) now reads as follows: “Introduce themselves by name and rank as soon as reasonable and practicable. It will be FPD practice to also provide the stopped individual an FPD business card at the end of a stop. The business card should include the name and badge number of the officer’s supervisor;”

3) Paragraph 115 now reads as follows: “FPD will ensure that officers do not search, seize, or otherwise coerce production of recorded sounds, images, or videos

without obtaining a warrant. Where an officer has a reasonable belief that a bystander or witness has captured a recording of critical evidence related to a serious crime and the exigencies of the circumstances demand it, the officer may secure such evidence for no more than 12 hours while a legal subpoena, search warrant, or other valid order is obtained. Upon seizing such property, officers may not search or review its contents without first obtaining a search warrant.”

4) Paragraph 341 now reads follows: “The City agrees to maintain a public list of preset fines (Traffic Violations Bureau or “TVB” fines) for all municipal ordinance violations for which preset fines are allowed under Missouri law. The City further agrees to ensure that the fine amounts used for preset fines are consistent with the fine amounts specified on the Uniform Fine Schedule for St. Louis County.”

IT IS FURTHER ORDERED that all remaining provisions of the
Consent Decree entered on April 19, 2016 not specifically modified above
remain in full force and effect.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 21st day of June, 2018.